India approved a Pilot Scheme *viz.* National Project for Repair, Renovation and Restoration of Water Bodies directly linked to Agriculture in January 2005 at a cost of Rs. 300.00 crore to be shared by the Centre and State in the ration of 3:1 for the remaining period of Tenth Plan. Under the scheme, project proposals in respect of 1098 water bodies for 26 districts in 15 States were approved at a cost of Rs. 299.92 crore.

Water Supply to Hubli-Dharwad from Mahadayi river

618. SHRI JANARDHANA POOJARY: Will the Minister of WATER RESOURCES be pleased to state:

(a) whether Karnataka Government with a view to augmenting drinking water supply to Hubli-Dharwad, had proposed diversion of 7.56 tmc of water from the West flowing Mahadayi River and its tributaries of Malaprabha Dam;

(b) if so, the details thereof;

(c) whether Government of Goa has filed a case before the Hon'ble Supreme Court of India against the above proposal of Karnataka on the ground that it would adversely impact the environment and ecology in its territory;

(d) if so, the details thereof;

(e) whether the Centre has filed its affidavit in the Apex Court;

(f) if so, the details thereof; and

(g) if not, reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES (SHRI JAY, PRAKASH NARAYAN YADAV): (a) and (b) Yes, Sir, The Government of Karnataka proposed diversion of 7.56 TMC of water from Mahadayi basin to Malaprabha basin through implementation of Kalsa and Bandurinalla schemes to meet the drinking water need of Hubli/ Dharwad cities.

(c) and (d) The Government of Goa in September, 2006 filed a Suit in the Hon'ble Supreme Court praying for setting up of Water Disputes Tribunal for adjudication of the Mahadayi River Water Dispute and an Interlocutory Application (IA) for stay in construction activities by Government of Karnataka.

(e) Yes, Sir.

(f) The affidavit contains the stand of Ministry of Environment and Forests and Planning Commission in this regard which is given in the Statement, (*See* below).

(g) Does not arise in view of above.

Statement

STAND OF MINISTRY OF ENVIRONMENT AND FORESTS:-

[I]. That the Prior approval of the M/o Environment & Forests [Central Government] is required under the Forest (Conservation) Act, 1980 to carry out any non-forestry activity on forest land (including the area as per the widened meaning given to word 'forest' by this Hon'ble Court in order dated 12.12.1996 in WP(C) No. 202 of 1995 in so far as applicability of the Forest (Conservation) Act, 1980 is concerned).

[II]. That this Hon'ble Court, *vide* order dated 14.02.2000 in Writ Petition (C) No. 202 of 1995, has banned any non-forestry activity within any National Park/Sanctuary. hence, if the area on which non-forestry activity is to be carried out falls within any National Park/Sanctuary, prior approval of this Hon'ble Court and the National Board for Wildlife is required before the proposal can be considered by the Central Government under the Forest (Conservation) Act, 1980.

[III]. According to the Guidelines issued under the Forest (Conservation) Act, 1980, which is contained in para 4.4 of the Handbook of Forest (Conservation) Act, 1980 issued by the Ministry by Ministry of Environment & Forests, some projects involve use of forest Land as well as non-forest land. The State Government/project authorities sometimes start work on non-forest lands in anticipation of the approval of the Central Government for release of the forest lands required for the projects. Though the provisions of the Act may not have technically been violated by starting of work on non-forest lands, expenditure incurred on works on non-forest lands may prove to be infructuous if diversion of forest land involved is not approved. Hence, if a project involves forest as well as non-forest land, work should not be started on non-forest land till approval of the Central Government for release of forest land under the Forest (Consevation) Act, 1980 has been given'.

STAND OF PLANNING COMMISSION, WATER RESOURCES DIVISION:-

"Planning Commission guidelines for according investment clearance (Dated 30.11.2000) clearly stipulates that" any project which is located in an Inter State river or its tributary will be deemed to involve interstate remification and as such need investment clearance from Planning Commission". The Planning Commission's guidelines requiring clearance for change of water use pattern in an inter-state river or its tributary is subject to technical appraisal by a competent agency such a Central Water Commission. If the Planning Commission's guideline is now deemed to apply only for projects where Plan funds (Centre or State) are being used, then the guidelines can be circumvented by saying that the funds used will be non-Plan. This interpretation is too flexible. The spirit of the guidelines is that Inter-State water use pattern cannot be changed without approval irrespective of whether Plan or Non-Plan resources are used.

Finance Aid by ADB

619. MS. PRAMILA BOHIDAR:

SHRI B. J. PANDA:

Will the Minister of WATER RESOURCES be pleased to state:

(a) whether Orissa Government has made a proposal to the Centre for improving irrigation potential of 22,500 hectares under the command Area Development (CAD) in Gohira, Remal and Sunein irrigation project areas with financial aid of Asian Development Bank (ADB); and

(b) if so, the details thereof, alongwith the status of the proposal?

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES (SHRI JAY PRAKASH NAYAYAN YADAV): (a) and (b) The scheme for Orissa Integrated Irrigated Agriculture and Water Management Project (OIIAWMP) has been forwarded by Ministry of Water Resources to Department of Economic Affairs who posed the same to Asian Development Bank (ADB). The scheme, *interalia*, includes thee projects namely: Improvement to Gohira Irrigation Project; Improvement to Remal Irrigation project; and Improvement to Sunei Irrigation Project. The activities also include works related to command area